



Monday
April 27, 1998

Part XXXVI

Office of Personnel Management

Semiannual Regulatory Agenda

OFFICE OF PERSONNEL MANAGEMENT (OPM)

OFFICE OF PERSONNEL
MANAGEMENT

5 CFR Ch. I

Regulatory Agenda

AGENCY: Office of Personnel
Management.

ACTION: Semiannual regulatory agenda.

SUMMARY: The following Office of Personnel Management (OPM) regulations are scheduled for development or review from April 1, 1998, through March 31, 1999. This agenda carries out OPM's responsibilities to publish a semiannual agenda under E.O. 12866 "Regulatory Planning and Review" and the Regulatory Flexibility Act (5 U.S.C. chapter 6). This publication in the **Federal Register** does not impose a

binding obligation on the Office of Personnel Management with regard to any specific item on the agenda. Regulatory action in addition to the items listed is not precluded.

FOR FURTHER INFORMATION CONTACT:
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U.S. Office of Personnel Management.
Janice R. Lachance,
Director.

Prerule Stage

Sequence Number	Title	Regulation Identifier Number
3767	Availability of Official Information	3206-AG92

Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
3768	Appointment of Noncitizens in the Excepted Service	3206-AH52
3769	Personnel Records	3206-AH24
3770	Employment in the Excepted Service	3206-AH83
3771	Career and Career-Conditional Appointment Under Special Authorities	3206-AG90
3772	Non-Competitive Appointment of Former Peace Corps and Vista Volunteers	3206-AI18
3773	Merit Promotion and Internal Placement	3206-AI20
3774	Clarification of Various Staffing Provisions	3206-AH49
3775	Other Than Full-Time Employment (Part-Time, Seasonal, Intermittent)	3206-AI22
3776	Reduction in Force Service Credit; Retention Records	3206-AI09
3777	Re-Employment Rights	3206-AI19
3778	Performance Ratings	3206-AH77
3779	Superior Qualifications Appointments	3206-AI00
3780	Miscellaneous Changes in Compensation Regulations	3206-AH11
3781	Prevailing Rate Systems; Changing the Helper (Trades) WG-5 Survey Job from Required to Optional	3206-AH81
3782	Severance Pay: Miscellaneous	3206-AH12
3783	Pay Administration (General); Collection by Offset From Indebted Government Employees	3206-AH63
3784	Pay Administration Under the Fair Labor Standards Act (FLSA)	3206-AI15
3785	Agency Determinations on Payment of Relocation Costs	3206-AH50
3786	Federal Equal Opportunity Recruitment Program (FEORP)	3206-AH98
3787	Disabled Veterans Affirmative Action Program (DVAAP)	3206-AH99
3788	Federal Employees' Health and Counseling Programs	3206-AI07
3789	Retirement; CSRS and FERS Amendments Relating to Health Care Professionals	3206-AG57
3790	Retirement; Credit for Military Service	3206-AG58
3791	Retirement; Determinations of Marital Status for Survivor Annuities	3206-AG60
3792	Retirement; Service Credit	3206-AH37
3793	Retirement; Waiver of Military Retired Pay to Enhance Civil Service Retirement Annuity	3206-AH74
3794	Retirement; Elimination of the Hearing Requirement During Enforcement of Statutory Bar to Annuity After Conviction of Certain Offenses	3206-AH76
3795	Retirement; State Income Tax Withholding Instrumentalities	3206-AH62
3796	Retirement; Debt Collection	3206-AE72
3797	Retirement; Court Orders Awarding Survivor Annuities; Correcting or Supplementing the First Order Dividing Marital Property	3206-AG28
3798	Retirement; FERS Elections of Coverage	3206-AG96
3799	Federal Employee's Group Life Insurance Program: Miscellaneous Changes and Clarifications	3206-AG63
3800	Federal Employees Health Benefits Program; Improving Contract Performance	3206-AI16

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Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
3801	Student Educational Employment Program	3206-AH82
3802	Appointment of Non-Status Employees (USERRA)	3206-AI23
3803	Time-In-Grade Restrictions	3206-AG06
3804	Temporary and Term Employment	3206-AH47
3805	Promotion and Internal Placement; Accelerated Qualifications	3206-AG19
3806	Moratorium on Involuntary SES Reassignments	3206-AH92
3807	Job Listings; Full Consideration of Displaced Defense Employees	3206-AF36
3808	Merit Promotion Placement	3206-AI21
3809	Reduction in Force; Retreat Rights	3206-AG77
3810	Reduction in Force and Mandatory Temporary Exceptions	3206-AH64
3811	Reduction in Force and Vacant Positions	3206-AH95
3812	Restoration to Duty From Military Service or Compensable Injury	3206-AG02
3813	Training	3206-AH94
3814	Official Duty Station Determinations for Pay Purposes	3206-AH84
3815	Prevailing Rate Systems; Redefinition of the Norfolk, MA, Nonappropriated Fund Wage Area	3206-AH58
3816	Prevailing Rate Systems; Redefinition of the Marion, IN, Nonappropriated Fund Wage Area	3206-AH60
3817	Holiday and Premium Pay	3206-AH86
3818	Prevailing Rate Systems; Abolishment of Lubbock Nonappropriated Fund Wage Area	3206-AH88
3819	Prevailing Rate Systems; Abolishment of the Orlando, FL Appropriated Fund Wage Area	3206-AI04
3820	Prevailing Rate Systems; Removal of Umatilla County, OR, from Spokane, WA, Nonappropriated Fund Wage Area	3206-AI10
3821	Prevailing Rate Systems; Abolishment of Kansas City, MO, Special Wage Schedule for Printing Positions	3206-AI11
3822	Prevailing Rate Systems; Redefinition of the Orlando, FL, Appropriated Fund Wage Area	3206-AI13
3823	Voluntary Separation Incentive Repayment Waivers	3206-AG20
3824	Pay Administration; Availability Pay for Criminal Investigators	3206-AG47
3825	Lump-Sum Payments for Annual Leave	3206-AF38
3826	Cost-of-Living Allowance in Nonforeign Areas: Survey Results	3206-AH07
3827	Emergency Leave Transfer Program	3206-AI03
3828	Retirement; Coverage - Non-Appropriated Fund Instrumentalities	3206-AH57
3829	Revised Application Procedures for Disability Retirement Under CSRS and FERS	3206-AH68
3830	Coverage for Certain Employees of DC	3206-AI02
3831	Retirement Coverage for DC Financial Control Board Employees	3206-AG78
3832	Retirement; FERS Basic Annuity	3206-AE73
3833	Federal Employees Health Benefits Program: Payment of Premiums for Periods of Leave Without Pay or Insufficient Pay	3206-AG66
3834	Federal Employees Health Benefits Program: Disenrollment	3206-AH61
3835	FEHBP: Removal of Minimum Salary Requirement	3206-AI05
3836	Appointment, Pay, and Removal of Administrative Law Judges	3206-AI08

Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
3837	Claims Collections Standards; Debt Collection Act of 1982; Salary Offset	3206-AG64
3838	Noncompetitive Appointments of Corporation for National Service Employees	3206-AH48
3839	Interagency Placement Program	3206-AI24
3840	Performance Management Reform	3206-AF57
3841	Classification Appeals of General Schedule Employees	3206-AH38
3842	Job Grading Reviews and Appeals of Federal Wage System Employees	3206-AI14
3843	Suitability—Suitability Disqualification/Rating Actions	3206-AC19
3844	Personnel Security and Related Programs	3206-AC21
3845	Investigations	3206-AB92
3846	Debarments, Civil Monetary Penalties, and Assessments Imposed Against Providers	3206-AD76

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Completed Actions

Sequence Number	Title	Regulation Identifier Number
3847	Procedures for Settling Claims	3206-AH89
3848	Fellowship and Similar Appointments in the Excepted Service	3206-AH91
3849	Agency Relationships with Organizations Representing Federal Employees and Other Organizations	3206-AH72
3850	Amendment to Selective Service Registration Requirements	3206-AD68
3851	RIF and Performance Management	3206-AH32
3852	Pay Under the General Schedule; Locality Pay Areas for 1998	3206-AH65
3853	Prevailing Rate Systems; Survey Order Month Change for Jefferson, New York, Nonappropriated Fund Wage Area	3206-AH80
3854	Prevailing Rate Systems; Survey Order Month Change for Jefferson, NY, Nonappropriated Fund Wage Area	3206-AI01
3855	Prevailing Rate Systems; Removal of Putnam, Richmond, and Rockland Counties, NY, and Monmouth County, NJ, from the New York, NY, Appropriated Fund Survey Area	3206-AI06
3856	Pay Administration Under the FLSA	3206-AG70
3857	Processing Garnishment Orders for Child Support and/or Alimony and Commercial Garnishment of Federal Employees' Pay	3206-AH43
3858	Cost-of-Living Allowances and Post Differentials (Nonforeign Areas; Miscellaneous Changes)	3206-AH51
3859	Political Activity—Federal Employees Residing in Designated Localities	3206-AF78
3860	Federal Employees' Health and Counseling Programs	3206-AH93
3861	Retirement and Insurance Benefits During Periods of Unexplained Absence	3206-AH75
3862	Retirement and Insurance—Waiver From Continuity of Coverage Requirements for Certain Decennial Census Employees with Dual Appointments	3206-AI12

OFFICE OF PERSONNEL MANAGEMENT (OPM)

Prerule Stage

3767. AVAILABILITY OF OFFICIAL INFORMATION**Priority:** Info./Admin./Other**Legal Authority:** 5 USC 552 Freedom of Information Act**CFR Citation:** 5 CFR 294**Legal Deadline:** None

Abstract: The proposed rulemaking will make minor changes to subpart A of 5 CFR 294, Availability of Official Information Act. The rulemaking will provide additional information on the definition of terms used in the search and review process, update office

addressees, and clarify that any written request that meets the specified marking and content requirements will be recognized as an official FOIA request. These changes are designed to benefit the public by providing updated information on where to direct FOIA requests, and improve the wording of the regulation to fully and accurately meet the provisions of the FOIA. There will be no significant change to the existing operational procedures in place at OPM.

Timetable:

Action	Date	FR Cite
ANPRM	07/00/98	
Final Action	10/00/98	

Small Entities Affected: None**Government Levels Affected:** None

Agency Contact: Bruce Tarpinian, Office of Information Technology, Office of Personnel Management, 1900 E St. NW., Washington, DC 20415-0001
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 Fax: 202 418-3251
 Email: bmtarpin@opm.gov
RIN: 3206-AG92

OFFICE OF PERSONNEL MANAGEMENT (OPM)

Proposed Rule Stage

3768. APPOINTMENT OF NONCITIZENS IN THE EXCEPTED SERVICE**Priority:** Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or

duplication, or streamline requirements.

Legal Authority: 5 USC 3301; 5 USC 3302**CFR Citation:** 5 CFR 213.3102(bb)**Legal Deadline:** None

Abstract: Revises existing government-wide excepted service appointment authority for the appointment of

noncitizens in the absence of qualified citizens. Individual agency authorities for this purpose will no longer be needed.

Timetable:

Action	Date	FR Cite
NPRM	12/00/98	

Small Entities Affected: None

OPM

Proposed Rule Stage

Government Levels Affected: None

Agency Contact: Sylvia Cole, Staffing Reinvention Office, Employment Service, Office of Personnel Management, 1900 E St. NW., Washington, DC 20415
Phone: 202 606-1386
Fax: 202 606-2329

RIN: 3206-AH52

3769. PERSONNEL RECORDS

Priority: Info./Admin./Other

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 5 USC 552; 5 USC 4315; EO 12107; 5 USC 1103; 5 USC 1104; 5 USC 1302; EO 9830; 5 USC 2951; 5 USC 3301; EO 12107

CFR Citation: 5 CFR 293

Legal Deadline: None

Abstract: The regulatory changes will: (1) simplify the requirements for maintaining employee personnel records, (2) clarify agency responsibility for personnel recordkeeping as delegated by the regulation, and (3) give greater latitude to agencies in establishing and maintaining employee medical and performance records.

Timetable:

Action	Date	FR Cite
NPRM	04/00/98	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Linda Brick, Office of Merit Systems Oversight and Effectiveness, Office of Personnel Management, Personnel Records and Systems, 1900 E St. NW., Washington, DC 20415
Phone: 202 606-1126
Fax: 202 606-1719
Email: lmbrick@opm.gov

RIN: 3206-AH24

3770. EMPLOYMENT IN THE EXCEPTED SERVICE

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or

duplication, or streamline requirements.

Legal Authority: 5 USC 1302; 5 USC 3301; 5 USC 3302; 5 USC 8151; EO 10577

CFR Citation: 5 CFR 302

Legal Deadline: None

Abstract: The revised regulations will make it easier for agencies to understand how to run the excepted service employment system, and thus create better and more efficient employment procedures.

Timetable:

Action	Date	FR Cite
NPRM	04/00/98	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Tina Vay, Employment Service, Staffing Reinvention Office, Office of Personnel Management, 1900 E St. NW., Washington, DC 20415
Phone: 202 606-0830
TDD: 202 606-0023
Fax: 202 606-0390

RIN: 3206-AH83

3771. CAREER AND CAREER-CONDITIONAL APPOINTMENT UNDER SPECIAL AUTHORITIES

Priority: Info./Admin./Other

Legal Authority: 5 USC 1302; 5 USC 3301; 5 USC 3302; 5 USC 3304(d); 5 USC 8151; 5 USC 11219; EO 10577; EO 12034; EO 12721; 22 USC 2506; 22 USC 3651; 22 USC 3652

CFR Citation: 5 CFR 315

Legal Deadline: None

Abstract: Revises a group of special appointment authorities to clarify requirements and to eliminate obsolete provisions. Also adds authorities for specific noncompetitive appointments authorities by law.

Timetable:

Action	Date	FR Cite
NPRM	06/00/98	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Karen Jacobs, Employment Service, Office of Personnel Management, Staffing Reinvention Office, 1900 E St. NW., Washington, DC 20415

Phone: 202 606-0830

TDD: 202 606-0023

Fax: 202 606-2329

RIN: 3206-AG90

3772. • NON-COMPETITIVE APPOINTMENT OF FORMER PEACE CORPS AND VISTA VOLUNTEERS

Priority: Substantive, Nonsignificant

Legal Authority: EO 11103; 42 USC 5055

CFR Citation: 5 CFR 315

Legal Deadline: None

Abstract: Updates authority that grants former Peace Corps and Vista volunteers an eligibility for noncompetitive appointment to the Federal Competitive Service. Eliminates reference to the abolished ACTION agency

Timetable:

Action	Date	FR Cite
NPRM	04/00/98	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Mike Carmichael, Employment Service, Staffing Reinvention Office, Office of Personnel Management, 1900 E St. NW., Washington, DC 20415
Phone: 202 606-0830
Fax: 202 606-2329

RIN: 3206-AI18

3773. • MERIT PROMOTION AND INTERNAL PLACEMENT

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 3301; 5 USC 3302; 5 USC 3329

CFR Citation: 5 CFR 316; 5 CFR 335; 5 CFR 338

Legal Deadline: None

Abstract: Gives agencies greater flexibility to design internal selection systems consistent with merit principles and other applicable statutes.

Timetable:

Action	Date	FR Cite
NPRM	06/00/98	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Karen Jacobs, Employment Service, Staffing Reinvention Office, Office of Personnel

OPM

Proposed Rule Stage

Management, 1900 E St. NW.,
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Fax: 202 606-2329
RIN: 3206-AI20

3774. CLARIFICATION OF VARIOUS STAFFING PROVISIONS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 5 USC 1202; 5 USC 3301; 5 USC 3302

CFR Citation: 5 CFR 330.403; 5 CFR 213.103(a); 5 CFR 300.501; 5 CFR 315.603(a); 5 CFR 315.608; 5 CFR 332.301; 5 CFR 338.202(3)

Legal Deadline: None

Abstract: Revises several appointing authorities to make them clearer and to delete references to the former Federal Personnel Manual and other obsolete provisions.

Timetable:

Action	Date	FR Cite
NPRM	06/00/98	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Karen Jacobs, Employment Service, Staffing Reinvention Office, Office of Personnel Management, 1900 E St. NW., Washington, DC 20415
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TDD: 202 606-0023
Fax: 202 606-2329
RIN: 3206-AH49

3775. • OTHER THAN FULL-TIME EMPLOYMENT (PART-TIME, SEASONAL, INTERMITTENT)

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 3301

CFR Citation: 5 CFR 340; 5 CFR 110

Legal Deadline: None

Abstract: Grants agencies and employees more flexibility by clarifying agency authority to schedule part-time employees on a pay period, rather than weekly, basis; define job sharing; modify seasonal employment.

Timetable:

Action	Date	FR Cite
NPRM	04/00/98	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Diane Tyrrell, Employment Service, Staffing Reinvention Office, Office of Personnel Management, 1900 E St. NW., Washington, DC 20415
Phone: 202 606-0830
TDD: 202 606-0023
Fax: 202 606-2329

RIN: 3206-AI22

3776. • REDUCTION IN FORCE SERVICE CREDIT; RETENTION RECORDS

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 3502a

CFR Citation: 5 CFR 351

Legal Deadline: None

Abstract: Covers service credit for retention purposes, and access to retention records by employees and their representatives.

Timetable:

Action	Date	FR Cite
NPRM	04/00/98	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Thomas A. Glennon, Employment Service, Workforce Restructuring Office, Office of Personnel Management, 1900 E St. NW., Washington, DC 20415
Phone: 202 606-0960
Fax: 202 606-2329

RIN: 3206-AI09

3777. • RE-EMPLOYMENT RIGHTS

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 3582; 5 USC 3301; PL 103-296

CFR Citation: 5 CFR 352

Legal Deadline: None

Abstract: Updates provisions to conform to law allowing employees assigned to international organizations under certain conditions to maintain FERS and FICA retirement coverage; current regulations only mention CSRS retirement.

Timetable:

Action	Date	FR Cite
NPRM	04/00/98	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Mike Mahoney, Employment Service, Staffing Reinvention Office, Office of Personnel Management, 1900 E St. NW., Washington, DC 20415
Phone: 202 606-0830
Fax: 202 606-2329

RIN: 3206-AI19

3778. PERFORMANCE RATINGS

Priority: Info./Admin./Other

Legal Authority: 5 USC 4305

CFR Citation: 5 CFR 430

Legal Deadline: None

Abstract: To avoid confusion regarding OPM's longstanding policy regarding retroactive, assumed, and carryover ratings of record, we propose to amend the current performance management regulations to explicitly specify that ratings of record are final upon issuance unless challenged by the employee, pertain only to the appraisal period for which originally issued, and that assumed ratings of records are prohibited. The prohibition of assumed ratings of record does not alter the specific provision contained in 5 CFR 351 for assigning additional service credit in a reduction in force when an employee has no rating of record.

Timetable:

Action	Date	FR Cite
NPRM	06/00/98	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Barbara Colchao, Workforce Compensation and Performance Service, Office of Personnel Management, Office of Performance and Compensation and Systems Design, 1900 E St. NW., Washington, DC 20415
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RIN: 3206-AH77

OPM

Proposed Rule Stage

3779. SUPERIOR QUALIFICATIONS APPOINTMENTS**Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 5333**CFR Citation:** 5 CFR 531**Legal Deadline:** None

Abstract: Revises regulations concerning the appointment of superior candidates above the minimum rate of pay for General Schedule positions. Clarifies and modifies what agencies should consider when making these superior qualifications appointments.

Timetable:

Action	Date	FR Cite
NPRM	06/00/98	

Small Entities Affected: None**Government Levels Affected:** None

Agency Contact: Tina Vay, Employment Service, Staffing Reinvention Office, Office of Personnel Management, 1900 E St. NW., Washington, DC 20415
Phone: 202 606-0830
TDD: 202 606-0023
Fax: 202 606-0390

RIN: 3206-AI00**3780. MISCELLANEOUS CHANGES IN COMPENSATION REGULATIONS****Priority:** Substantive, Nonsignificant

Legal Authority: 5 USC 5304; 5 USC 5365; 5 USC 5753; 5 USC 5527; 5 USC 5596; 5 USC 5941; 5 USC 5754; 5 USC 5307; 5 USC 5338; 5 USC 5548; 5 USC 5595; 5 USC 6101; Fair Labor Standards Act of 1938 (as amended), section 4(f); 5 USC 5941

CFR Citation: 5 CFR 530; 5 CFR 531; 5 CFR 536; 5 CFR 550; 5 CFR 551; 5 CFR 575; 5 CFR 610; 5 CFR 591

Legal Deadline: None

Abstract: This proposed regulation would correct or clarify various regulatory provisions dealing with the compensation of Federal employees.

Timetable:

Action	Date	FR Cite
NPRM	04/00/98	
NPRM Comment Period End	05/00/98	
Final Action	10/00/98	

Small Entities Affected: None**Government Levels Affected:** None

Agency Contact: D. Bryce Baker, Workforce Compensation and

Performance Service, Office of Personnel Management, Office of Compensation Administration, 1900 E St. NW., Washington, DC 20415
Phone: 202 606-2858
Fax: 202 606-0824
Email: payleave@opm.gov

RIN: 3206-AH11**3781. PREVAILING RATE SYSTEMS; CHANGING THE HELPER (TRADES) WG-5 SURVEY JOB FROM REQUIRED TO OPTIONAL****Priority:** Info./Admin./Other**Legal Authority:** 5 USC 5343**CFR Citation:** 5 CFR 532**Legal Deadline:** None

Abstract: OPM plans regulatory actions to remove the Helper (Trades) WG-5 Federal Wage System (FWS) appropriated fund survey job from the list of required FWS survey jobs and add it to the list of optional FWS survey jobs. This change was recommended by the Federal Prevailing Rate Advisory Committee.

Timetable:

Action	Date	FR Cite
NPRM	04/00/98	
Final Action	06/00/98	

Small Entities Affected: None**Government Levels Affected:** None

Agency Contact: Mark Allen, Workforce Compensation and Performance Service, Office of Personnel Management, Office of Compensation Administration, 1900 E St. NW., Washington, DC 20415
Phone: 202 606-2848
Fax: 202 606-4264
Email: payleave@opm.gov

RIN: 3206-AH81**3782. SEVERANCE PAY: MISCELLANEOUS****Priority:** Other Significant**Legal Authority:** 5 USC 5595**CFR Citation:** 5 CFR 550, subpart G**Legal Deadline:** None

Abstract: The proposed regulation would clarify or revise the severance pay rules relating to such issues as the creditability of service and the definition of "involuntary separation."

Timetable:

Action	Date	FR Cite
NPRM	10/00/98	
NPRM Comment Period End	12/00/98	
Final Action	06/00/99	

Small Entities Affected: None**Government Levels Affected:** None

Agency Contact: D. Bryce Baker, Workforce Compensation and Performance Service, Office of Personnel Management, Office of Compensation Administration, 1900 E St. NW., Washington, DC 20415
Phone: 202 606-2858
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RIN: 3206-AH12**3783. PAY ADMINISTRATION (GENERAL); COLLECTION BY OFFSET FROM INDEBTED GOVERNMENT EMPLOYEES****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 5514**CFR Citation:** 5 CFR 550, subpart K**Legal Deadline:** None

Abstract: OPM plans regulatory changes to salary offset regulations which are needed to comply with changes required by or resulting from Public Law 103-134

Timetable:

Action	Date	FR Cite
NPRM	04/00/98	
NPRM Comment Period End	06/00/98	
Final Action	08/00/98	

Small Entities Affected: None**Government Levels Affected:** None

Agency Contact: Paul Shields, Workforce Compensation and Performance Service, Office of Personnel Management, Office of Compensation Administration, 1900 E St. NW., Washington, DC 20415
Phone: 202 606-2858
Fax: 202 606-0824
Email: payleave@opm.gov

RIN: 3206-AH63**3784. • PAY ADMINISTRATION UNDER THE FAIR LABOR STANDARDS ACT (FLSA)****Priority:** Info./Admin./Other**Legal Authority:** 5 USC 5112

OPM

Proposed Rule Stage

CFR Citation: 5 CFR 551, subparts A, B, C

Legal Deadline: None

Abstract: The FLSA regulations require revision to correct minor inconsistencies in terminology and phrasing, one incomplete citation, and one incorrect reference.

Timetable:

Action	Date	FR Cite
NPRM	07/00/98	
NPRM Comment Period End	09/00/98	
Final Action	12/00/98	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Jeffrey D. Miller, Office of Merit Systems Oversight and Effectiveness, Office of Personnel Management, 1900 E St. NW., Washington, DC 20415
Phone: 202 606-2530
Fax: 202 606-2663

RIN: 3206-AI15

3785. AGENCY DETERMINATIONS ON PAYMENT OF RELOCATION COSTS

Priority: Other Significant

Legal Authority: 5 USC 1103(9)(7)

CFR Citation: 5 CFR 572

Legal Deadline: None

Abstract: Provides criteria under which agencies may determine that relocation expenses will not be paid. Encourages as broad a competition for hiring as possible and expands employment opportunities for displaced Federal employees.

Timetable:

Action	Date	FR Cite
NPRM	06/00/98	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Mike Carmichael, Employment Service, Staffing Reinvention Office, Office of Personnel Management, 1900 E St. NW., Washington, DC 20415
Phone: 202 606-0830
TDD: 202 606-0023
Fax: 202 606-2329

RIN: 3206-AH50

3786. FEDERAL EQUAL OPPORTUNITY RECRUITMENT PROGRAM (FEORP)

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 4214

CFR Citation: 5 CFR 720

Legal Deadline: None

Abstract: Updates and simplifies reporting requirements to conform to court interpretations of law and to policy changes. Also takes advantage of improved technology.

Timetable:

Action	Date	FR Cite
NPRM	06/00/98	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Armando Rodriguez, Employment Service, Diversity Office, Office of Personnel Management, 1900 E St. NW., Washington, DC 20415
Phone: 202 606-0830

RIN: 3206-AH98

3787. DISABLED VETERANS AFFIRMATIVE ACTION PROGRAM (DVAAP)

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 4214

CFR Citation: 5 CFR 720

Legal Deadline: None

Abstract: Adjusts regulations to conform to latest revision in law and clarifies technical issues.

Timetable:

Action	Date	FR Cite
NPRM	06/00/98	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Armando Rodriguez, Employment Service, Diversity Office, Office of Personnel Management, 1900 E St. NW., Washington, DC 20415
Phone: 202 606-0830

RIN: 3206-AH99

3788. • FEDERAL EMPLOYEES' HEALTH AND COUNSELING PROGRAMS

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 7361; 5 USC 7362

CFR Citation: 5 CFR 792

Legal Deadline: None

Abstract: OPM is proposing to remove the following sentence which appears in this part, "If an employee fails to participate in any rehabilitative program or, having participated, the employee fails to bring conduct or performance up to a satisfactory level, the agency shall evaluate the employee accordingly and initiate the appropriate performance-based or adverse action." This sentence confuses or misleads agency management in dealing with employees who have an alcohol or drug abuse problem and whose job performance or conduct is affected as a result of their problem. Some agency officials believe that this sentence guarantees Federal employees, with these problems, two chances to avoid disciplinary and/or corrective action. We also propose to add a new section to this part which provides for the confidentiality of Employee Assistance Program (EAP) records and conversations between the counselor and the client. There are regulations which provide confidentiality of alcohol and drug abuse patient records; however, there is no such regulation for other personal problems which affect Federal employees such as family, financial, marital, etc. Without this regulation, agency EAP administrators and counselors are not protected when they refuse to disclose information without the signed written consent of the EAP client.

Timetable:

Action	Date	FR Cite
NPRM	06/00/98	
Final Action	11/00/98	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Frank T. Cavanaugh, Office of Workforce Relations, Employee Health Services Branch, Office of Personnel Management, 1900 E St. NW., Washington, DC 20415
Phone: 202 606-1166
Fax: 202 606-0967

RIN: 3206-AI07

3789. RETIREMENT; CSRS AND FERS AMENDMENTS RELATING TO HEALTH CARE PROFESSIONALS

Priority: Info./Admin./Other

Legal Authority: 5 USC 8347(a); 5 USC 8461(g)

OPM

Proposed Rule Stage

CFR Citation: 5 CFR 831; 5 CFR 841; 5 CFR 842

Legal Deadline: None

Abstract: These regulations implement the special retirement provisions applicable to certain health care professionals employed by the Veterans Health Service and other designated agencies.

Timetable:

Action	Date	FR Cite
NPRM	09/00/98	
Final Action	03/00/99	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Cynthia Reinhold, Retirement and Insurance Service, Office of Retirement Policy Development, Office of Personnel Management, 1900 E St. NW., Washington DC 20415
Phone: 202 606-0299
Fax: 202 606-1108
Email: combox@opm.gov

RIN: 3206-AG57

3790. RETIREMENT; CREDIT FOR MILITARY SERVICE

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 8347(a); 5 USC 8461(g); 38 USC 4331

CFR Citation: 5 CFR 8347(a); 5 CFR 8461(g); 5 CFR 842.306; 5 CFR 842.307

Legal Deadline: None

Abstract: These regulations implement changes in the treatment of certain military service under CSRS and FERS required under the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA).

Timetable:

Action	Date	FR Cite
NPRM	09/00/98	
Final Action	03/00/99	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Christopher H. Ziebarth, Retirement and Insurance Service, Retirement Policy Division, Office of Personnel Management, 1900 E St. NW., Washington, DC 20415
Phone: 202 606-0299
Fax: 202 606-1108
Email: combox@opm.gov

RIN: 3206-AG58

3791. RETIREMENT; DETERMINATIONS OF MARITAL STATUS FOR SURVIVOR ANNUITIES

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 8347; 5 USC 8461

CFR Citation: 5 CFR 831; 5 CFR 842; 5 CFR 843

Legal Deadline: None

Abstract: These regulations would establish the standards of evidence that OPM will require to prove entitlement to a survivor annuity as the surviving spouse of a deceased employee or retiree.

Timetable:

Action	Date	FR Cite
NPRM	06/00/98	
Final Action	12/00/99	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Harold L. Siegelman, Retirement and Insurance Service, Retirement Policy Division, Office of Personnel Management, 1900 E St. NW., Washington, DC 20415
Phone: 202 606-0299
Fax: 202 606-1108
Email: combox@opm.gov

RIN: 3206-AG60

3792. RETIREMENT; SERVICE CREDIT

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 8347

CFR Citation: 5 CFR 831, subpart C

Legal Deadline: None

Abstract: These regulations would provide that no retirement credit could be granted for periods of service for which retirement deductions were refunded and not repaid even when the refund was paid based on an erroneous separation.

Timetable:

Action	Date	FR Cite
NPRM	04/00/98	
Final Action	09/00/98	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Patricia A. Rochester, Retirement and Insurance Service, Retirement Policy Division, Office of Personnel Management, 1900 E St. NW., Washington, DC 20415
Phone: 202 606-0299

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Email: combox@opm.gov

RIN: 3206-AH37

3793. RETIREMENT; WAIVER OF MILITARY RETIRED PAY TO ENHANCE CIVIL SERVICE RETIREMENT ANNUITY

Priority: Info./Admin./Other

Legal Authority: 5 USC 8332(c)(4); 5 USC 8347(a); 5 USC 8411(c)(5)

CFR Citation: 5 CFR 831, subpart C; 5 CFR 842, subpart C

Legal Deadline: None

Abstract: These regulations implement provisions of the National Defense Authorization Act for Fiscal Year 1997. The Act changed the statutory requirements for allowing credit under the Civil Service Retirement System (CSRS) and the Federal Employees Retirement System (FERS) for military service in certain situations. CSRS or FERS credit based on a waiver of military retired pay after January 1, 1997 is no longer permitted to adversely affect a former spouse with a court order on file affecting the military retired pay.

Timetable:

Action	Date	FR Cite
NPRM	05/00/98	
Final Action	11/00/98	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Harold Siegelman, Retirement and Insurance Service, Retirement Policy Division, Office of Personnel Management, 1900 E St. NW., Washington, DC 20415
Phone: 202 606-0299
Fax: 202 606-1108
Email: combox@opm.gov

RIN: 3206-AH74

3794. RETIREMENT; ELIMINATION OF THE HEARING REQUIREMENT DURING ENFORCEMENT OF STATUTORY BAR TO ANNUITY AFTER CONVICTION OF CERTAIN OFFENSES

Priority: Info./Admin./Other

Legal Authority: 5 USC 8347; 5 USC 8461

CFR Citation: 5 CFR 831, subpart K

Legal Deadline: None

OPM

Proposed Rule Stage

Abstract: These regulations will eliminate the requirement that OPM conduct a hearing before applying the statutory bar to annuity when an individual has been convicted of certain offenses.

Timetable:

Action	Date	FR Cite
NPRM	04/00/98	
Final Action	09/00/98	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Patrick Jennings, Retirement and Insurance Service, Retirement Policy Division, Office of Personnel Management, 1900 E St. NW., Washington, DC 20415
Phone: 202 606-0299
Email: combox@opm.gov
RIN: 3206-AH76

3795. RETIREMENT; STATE INCOME TAX WITHHOLDING INSTRUMENTALITIES

Priority: Info./Admin./Other

Legal Authority: 5 USC 8345; 5 USC 8347; 5 USC 8461; 5 USC 8469

CFR Citation: 5 CFR 831, subpart S; 5 CFR 841, subpart J

Legal Deadline: None

Abstract: These regulations modify existing regulations to reflect changes designed to expand and streamline the process of withholding state income tax from CSRS and FERS annuities.

Timetable:

Action	Date	FR Cite
NPRM	04/00/98	
Final Action	10/00/98	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Harold Siegelman, Retirement and Insurance Service, Retirement Policy Division, Office of Personnel Management, 1900 E St. NW., Washington, DC 20415
Phone: 202 606-0299
Fax: 202 606-1108
Email: combox@opm.gov
RIN: 3206-AH62

3796. RETIREMENT; DEBT COLLECTION

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 8347; 5 USC 8461

CFR Citation: 5 CFR 835(e)

Legal Deadline: None

Abstract: These regulations will amend the Civil Service Retirement System (CSRS) and Federal Employees Retirement System (FERS) regulations by consolidating and updating existing regulations in three different subparts of the CSRS regulations and 5 CFR 845 in the FERS regulations to eliminate duplication of the provisions governing debt collection. This item is for subpart E of the new part 835, which will address collections of Government claims from payments made by OPM.

Timetable:

Action	Date	FR Cite
NPRM	10/05/92	57 FR 45753
NPRM	06/00/98	
Final Action	12/00/98	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Patricia A. Rochester, Retirement and Insurance Service, Retirement Policy Division, Office of Personnel Management, 1900 E St. NW., Washington, DC 20415
Phone: 202 606-0299
Fax: 202 606-1108
Email: combox@opm.gov
RIN: 3206-AE72

3797. RETIREMENT; COURT ORDERS AWARDING SURVIVOR ANNUITIES; CORRECTING OR SUPPLEMENTING THE FIRST ORDER DIVIDING MARITAL PROPERTY

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 8347; 5 USC 8461

CFR Citation: 5 CFR 838

Legal Deadline: None

Abstract: These regulations would establish standards for determining which supplemental or correcting court orders are not "modifications" and the procedures applicable to such orders. They also provide for the continuation of the former spouse's survivor coverage and the reduction in the retiree's annuity until the State court decides the extent of the former spouse's rights to retirement benefits.

Timetable:

Action	Date	FR Cite
NPRM	07/00/98	
Final Action	12/00/98	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Harold L. Siegelman, Retirement and Insurance Group, Retirement Policy Division, Office of Personnel Management, 1900 E St. NW., Washington, DC 20415
Phone: 202 606-0299
Fax: 202 606-1108
Email: combox@opm.gov
RIN: 3206-AG28

3798. RETIREMENT; FERS ELECTIONS OF COVERAGE

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 8347(a); 5 USC 8461(g); PL 99-335, sec 301(d)(3)

CFR Citation: 5 CFR 846

Legal Deadline: None

Abstract: These regulations implement title III of the Federal Employees Retirement System (FERS) Act of 1986, as amended, dealing with the election of FERS coverage by employees under the Civil Service Retirement System and certain other employees. The regulations contain regulatory and interpretative rules concerning employees' eligibility to elect FERS coverage, procedures for electing FERS coverage, and basic benefits based on the service for employees who elect FERS coverage.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/21/87	52 FR 19235
Interim Final Rule	09/13/93	58 FR 47821
NPRM	04/00/98	
Final Action	06/00/98	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Harold L. Siegelman, Retirement and Insurance Service, Retirement Policy Division, Office of Personnel Management, 1900 E St. NW., Washington, DC 20415-0001
Phone: 202 606-0299
Fax: 202 606-1108
Email: combox@opm.gov
RIN: 3206-AG96

3799. FEDERAL EMPLOYEE'S GROUP LIFE INSURANCE PROGRAM: MISCELLANEOUS CHANGES AND CLARIFICATIONS

Priority: Info./Admin./Other

Legal Authority: 5 USC 8716

OPM

Proposed Rule Stage

CFR Citation: 5 CFR 870**Legal Deadline:** None

Abstract: These regulations include a group of changes to FEGLI regulations that will clarify procedures for signing and witnessing designations of beneficiary, accepting designations of beneficiary by facsimile, accepting DNA evidence to establish paternity, etc.

Timetable:

Action	Date	FR Cite
NPRM	05/00/98	
Final Action	11/00/98	

Small Entities Affected: None**Government Levels Affected:** None

Agency Contact: Karen Leibach, Retirement and Insurance Service, Insurance Policy and Information Division, Office of Personnel Management, 1900 E St. NW., Washington, DC 20415
Phone: 202 606-0004

Fax: 202 606-0633

RIN: 3206-AG63**3800. • FEDERAL EMPLOYEES HEALTH BENEFITS PROGRAM; IMPROVING CONTRACT PERFORMANCE****Priority:** Info./Admin./Other**Legal Authority:** 5 USC 8913**CFR Citation:** 48 CFR 1609**Legal Deadline:** None

Abstract: The proposed regulation would enable OPM to obtain more responsive contract performance from Federal Employees Health Benefits (FEHB) program community rated carriers. OPM would, through the annual premium reconciliation process, prompt community rated carriers to timely deliver FEHB program brochures, provide requested reports, and meet other performance requirements so that OPM can provide

more efficient service to FEHB program enrollees.

Timetable:

Action	Date	FR Cite
NPRM	04/00/98	
Final Action	09/00/98	

Small Entities Affected: None**Government Levels Affected:** None

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Mary Ann Mercer, Retirement and Insurance Service, Insurance Policy and Information Division, Office of Personnel Management, Office of Insurance Programs, 1900 E St. NW., Washington, DC 20415
Phone: 202 606-0004
Fax: 202 606-0633

RIN: 3206-AI16

OFFICE OF PERSONNEL MANAGEMENT (OPM)

Final Rule Stage

3801. STUDENT EDUCATIONAL EMPLOYMENT PROGRAM**Priority:** Substantive, Nonsignificant**Legal Authority:** EO 13024; 5 USC 3301; 5 USC 3302**CFR Citation:** 5 CFR 213; 5 CFR 315; 5 CFR 316**Legal Deadline:** None

Abstract: OPM is issuing interim regulations permitting students participating in the Student Career Experience Program to be noncompetitively converted to term appointments and subsequent career/career-conditional appointments to implement E.O. 13024. These regulations will also reorganize the current information on the student programs and clarify a few related issues.

Timetable:

Action	Date	FR Cite
Interim Final Rule	12/02/97	62 FR 63627
Final Action	04/00/98	

Small Entities Affected: None**Government Levels Affected:** None

Agency Contact: Mike Mahoney, Employment Service, Staffing

Reinvention Office, Office of Personnel Management, 1900 E St. NW., Washington, DC 20415
Phone: 202 606-0830
TDD: 202 606-0023
Fax: 202 606-2329

RIN: 3206-AH82**3802. • APPOINTMENT OF NON-STATUS EMPLOYEES (USERRA)****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 3301; 5 USC 3302**CFR Citation:** 5 CFR 213**Legal Deadline:** None

Abstract: To permit Schedule A appointments of excepted service employees who are entitled to placement in a different agency if their original employing agency cannot reemploy them following uniformed service. Implements Pub. L. 103-353 (Uniformed Services Employment and Reemployment Rights Act of 1994).

Timetable:

Action	Date	FR Cite
Interim Final Rule	10/30/95	60 FR 55173
Final Action	06/00/98	

Small Entities Affected: None**Government Levels Affected:** None

Agency Contact: Raleigh Neville, Employment Service, Staffing Reinvention Office, Office of Personnel Management, 1900 E St. NW., Washington, DC 20415
Phone: 202 606-0830
TDD: 202 606-0023
Fax: 202 606-2329

RIN: 3206-AI23**3803. TIME-IN-GRADE RESTRICTIONS****Priority:** Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

Legal Authority: 5 USC 3301; 5 USC 3302; EO 10577**CFR Citation:** 5 CFR 300**Legal Deadline:** None

Abstract: Eliminates requirement that employees serve 1 year in grade to be eligible for promotion above the GS-5 level. This is separate from the qualifications requirement for 1 year experience at the next lowest grade or equivalent for promotion.

OPM

Final Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	06/15/94	59 FR 30717
NPRM Comment Period End	01/10/95	60 FR 2546
Final Action	06/00/98	

Small Entities Affected: None**Government Levels Affected:** None

Agency Contact: Tina Vay, Employment Service, Staffing Reinvention Office, Office of Personnel Management, 1900 E St. NW., Washington, DC 20415
 Phone: 202 606-0830
 TDD: 202 606-0023
 Fax: 292 606-0390

RIN: 3206-AG06**3804. TEMPORARY AND TERM EMPLOYMENT****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 3301; 5 USC 3302; EO 10577**CFR Citation:** 5 CFR 316**Legal Deadline:** None

Abstract: Changes non-permanent appointment types and procedures to be consistent with newly expanded delegation of examining authority to agencies.

Timetable:

Action	Date	FR Cite
NPRM	09/09/96	61 FR 47450
NPRM Comment Period End	12/31/96	
Final Action	04/00/98	

Small Entities Affected: None**Government Levels Affected:** None

Agency Contact: Diane Tyrrell, Employment Service, Staffing Reinvention Office, Office of Personnel Management, 1900 E St. NW., Washington, DC 20415
 Phone: 202 606-0830
 TDD: 202 606-0023
 Fax: 202 606-2329

RIN: 3206-AH47**3805. PROMOTION AND INTERNAL PLACEMENT; ACCELERATED QUALIFICATIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 3301; 5 USC 3302; 5 USC 3329**CFR Citation:** 5 CFR 316; 5 CFR 335; 5 CFR 338**Legal Deadline:** None

Abstract: OPM will issue final regulations on Accelerated Qualifications only to authorize agencies to establish intensive training programs for acquiring qualifications at an accelerated rate. A new regulatory proposal on Merit Promotion will be developed.

Timetable:

Action	Date	FR Cite
NPRM	02/20/96	61 FR 6324
Final Action	04/00/98	

Small Entities Affected: None**Government Levels Affected:** None

Agency Contact: Karen Jacobs, Employment Service, Staffing Reinvention Office, Office of Personnel Management, 1900 E St. NW., Washington, DC 20415
 Phone: 202 606-0830
 TDD: 202 606-0023
 Fax: 202 606-2329

RIN: 3206-AG19**3806. MORATORIUM ON INVOLUNTARY SES REASSIGNMENTS****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 3395**CFR Citation:** 5 CFR 317**Legal Deadline:** None

Abstract: The interim regulations will clarify the existing regulatory provision at 5 CFR 317.901 covering the statutory 120-day moratorium on involuntary reassignments of SES career appointees following the appointment of a new agency head or noncareer supervisor. As agency transitions began to get underway after January 20, 1997, agency questions revealed that the moratorium regulations could be subject to an interpretation not intended by the statute. The interim regulations will make it clear that an agency may effect an involuntary reassignment, based on an unsatisfactory rating issued before the appointment that initiates the moratorium, as an exception to the moratorium.

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/00/98	

Small Entities Affected: None**Government Levels Affected:** None

Agency Contact: Bede Bender, Office of Executive Resources, Office of Personnel Management, 1900 E St. NW., Room 6484, Washington, DC 20415

Phone: 202 606-1784

Fax: 202 606-2126

RIN: 3206-AH92**3807. JOB LISTINGS; FULL CONSIDERATION OF DISPLACED DEFENSE EMPLOYEES****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 3329; PL 102-484, sec 4432**CFR Citation:** 5 CFR 330; 5 CFR 335**Legal Deadline:** None

Abstract: Requires agencies to report to OPM announcements of vacancies for which they will accept applications from outside their own work forces. Requires agencies to give full consideration to displaced DOD employees, Pub. L. 102-484, 5 U.S.C. 3329.

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/08/93	58 FR 18139
Final Action	04/00/98	

Small Entities Affected: None**Government Levels Affected:** None

Agency Contact: Ed McHugh, Employment Service, Office of Personnel Management, 1900 E St. NW., Washington, DC 20415
 Phone: 202 606-0830
 TDD: 202 606-0023
 Fax: 202 606-2329

RIN: 3206-AF36**3808. • MERIT PROMOTION PLACEMENT****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 3301**CFR Citation:** 5 CFR 335**Legal Deadline:** None

Abstract: Continued existing requirements, previously in the Federal Personnel Manual, under which agencies conduct merit promotion and internal placement programs in the competitive service.

Timetable:

Action	Date	FR Cite
Interim Final Rule	03/30/94	59 FR 67121
Final Action	04/00/98	

OPM

Final Rule Stage

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Karen Jacobs,
Employment Service, Staffing
Reinvention Office, Office of Personnel
Management, 1900 E St. NW.,
Washington, DC 20415
Phone: 202 606-0830
TDD: 202 606-0023
Fax: 202 606-2329
RIN: 3206-AI21

3809. REDUCTION IN FORCE; RETREAT RIGHTS

Priority: Info./Admin./Other

Legal Authority: 5 USC 3502(a)

CFR Citation: 5 CFR 351

Legal Deadline: None

Abstract: The Office of Personnel Management is issuing interim retention regulations that clarify existing policy on employees' "Retreat" rights. These interim regulations also clarify existing policy concerning the content of specific written reduction in force notices, and issuance of a Certification of Expected Separation.

Timetable:

Action	Date	FR Cite
Interim Final Rule	08/25/95	60 FR 44253
Final Action	04/00/98	

Small Entities Affected: Undetermined

Government Levels Affected: Federal

Agency Contact: Thomas A. Glennon,
Employment Service, Workforce
Restructuring Office, Office of
Personnel Management, 1900 E St.
NW., Washington, DC 20415-0001
Phone: 202 606-0960
Fax: 202 606-2329
RIN: 3206-AG77

3810. REDUCTION IN FORCE AND MANDATORY TEMPORARY EXCEPTIONS

Priority: Substantive, Nonsignificant

Legal Authority: PL 104-208, sec 624

CFR Citation: 5 CFR 351

Legal Deadline: None

Abstract: Implements sec. 624 of Pub. L. 104-208. Gives employees the right to use annual leave to establish eligibility for retirement and continue health insurance in reductions in force.

Timetable:

Action	Date	FR Cite
Interim Final Rule	03/10/97	62 FR 10681
Final Action	04/00/98	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Thomas Glennon,
Employment Service, Workforce
Restructuring Office, Office of
Personnel Management, 1900 E St.
NW., Washington, DC 20415
Phone: 202 606-0960
TDD: 202 606-2329
Fax: 202 606-0023
RIN: 3206-AH64

3811. REDUCTION IN FORCE AND VACANT POSITIONS

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 1302

CFR Citation: 5 CFR 351

Legal Deadline: None

Abstract: Clarifies agency policy on reduction in force offers of assignment to vacant positions to satisfy an employee's assignment right under section 5 CFR 351.701 or in lieu of separation by reduction in force.

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/00/98	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Thomas A. Glennon,
Employment Service, Workforce
Restructuring Office, Office of
Personnel Management, 1900 E St.
NW., Washington, DC 20415
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Fax: 202 606-2329
RIN: 3206-AH95

3812. RESTORATION TO DUTY FROM MILITARY SERVICE OR COMPENSABLE INJURY

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 8151; 38 USC 4301

CFR Citation: 5 CFR 353

Legal Deadline: None

Abstract: Restoration rights of Federal employees who leave employment to perform duty with the uniformed services, implementing the USERRA of 1994, 48 USC chapter 43.

Timetable:

Action	Date	FR Cite
Interim Final Rule	09/01/95	60 FR 45650
Final Action	06/00/98	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Raleigh Neville,
Employment Service, Staffing
Reinvention Office, Office of Personnel
Management, 1900 E St. NW.,
Washington, DC 20415
Phone: 202 606-0830
Fax: 202 606-2329
RIN: 3206-AG02

3813. TRAINING

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 4118

CFR Citation: 5 CFR 410

Legal Deadline: None

Abstract: The changes will amend a statement about maintaining individual employee training records, clarify agency authority for training employees outside the United States, and add language about using appropriated funds for appropriate and inoffensive training.

Timetable:

Action	Date	FR Cite
NPRM	04/01/98	63 FR 15787
Final Action	09/00/98	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Judith Lombard,
Office of Workforce Relations, Office of
Human Resource Development, Office
of Personnel Management, 1900 E St.
NW., Washington, DC 20415
Phone: 202 606-2431
Fax: 202 606-2394
Email: jmlombar@opm.gov
RIN: 3206-AH94

3814. OFFICIAL DUTY STATION DETERMINATIONS FOR PAY PURPOSES

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 5305; 5 USC 5304; 5 USC 5941; EO 10000; PL 101-509, sec 404

CFR Citation: 5 CFR 530; 5 CFR 531; 5 CFR 591

Legal Deadline: None

OPM

Final Rule Stage

Abstract: These regulations clarify the location-based pay entitlements of Federal employees who are detailed or temporarily assigned to work at a new location. In particular, the regulations provide that, for employees receiving limited relocation allowances under 5 U.S.C. 5737 during temporary assignments, the new location is the official duty station for pay purposes.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/09/97	62 FR 25423
Final Action	06/00/98	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Jean Jacobson, Workforce Compensation and Performance Service, Office of Personnel Management, Office of Compensation Administration, 1900 E St. NW., Washington, DC 20415
Phone: 202 606-2858
Fax: 202 606-0824
Email: payleave@opm.gov

RIN: 3206-AH84

3815. PREVAILING RATE SYSTEMS; REDEFINITION OF THE NORFOLK, MA, NONAPPROPRIATED FUND WAGE AREA

Priority: Info./Admin./Other

Legal Authority: 5 USC 5343

CFR Citation: 5 CFR 532

Legal Deadline: None

Abstract: OPM plans regulatory actions to abolish the Norfolk, MA, nonappropriated fund (NAF) wage area and to redefine (1) Norfolk, Plymouth, and Suffolk Counties in MA to the Middlesex, MA, NAF wage area and (2) Barnstable and Nantucket Counties in MA to the Newport, RI, wage area. This change is necessary because the closing of the wage area host activity, Naval Air Station, South Weymouth, MA, left Norfolk County without an activity having the capability to conduct a wage survey.

Timetable:

Action	Date	FR Cite
Interim Final Rule	09/23/96	61 FR 49649
Final Action	04/00/98	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Mark Allen, Workforce Compensation and

Performance Service, Office of Personnel Management, Office of Compensation Administration, 1900 E St. NW., Washington, DC 20415
Phone: 202 606-2848
Fax: 202 606-4264
Email: payleave@opm.gov

RIN: 3206-AH58

3816. PREVAILING RATE SYSTEMS; REDEFINITION OF THE MARION, IN, NONAPPROPRIATED FUND WAGE AREA

Priority: Info./Admin./Other

Legal Authority: 5 USC 5343

CFR Citation: 5 CFR 532

Legal Deadline: None

Abstract: OPM plan regulatory actions to abolish the Marion, IN, nonappropriated fund (NAF) wage area and to redefine (1) Grant, Miami, Allen and Marion Counties, IN, to the Greenville-Montgomery, OH, NAF wage area (2) Martin County, IL, to the Hardin-Jefferson, KY, NAF wage area and (3) Vermilion County, IL, to the Lake County, IL, NAF wage area. This change is necessary because the closing of the wage area host activity, Ft. Benjamin Harrison, left Marion County without an activity having the capability to conduct a wage survey.

Timetable:

Action	Date	FR Cite
Interim Final Rule	09/10/96	61 FR 47661
Final Action	04/00/98	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Mark Allen, Workforce Compensation and Performance Service, Office of Personnel Management, Office of Compensation Administration, 1900 E St. NW., Washington, DC 20415
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Email: payleave@opm.gov

RIN: 3206-AH60

3817. HOLIDAY AND PREMIUM PAY

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 5548; 5 USC 6133; 29 USC 204(f)

CFR Citation: 5 CFR 523; 5 CFR 550; 5 CFR 551; 5 CFR 610

Legal Deadline: None

Abstract: The regulations implement recent changes in law which provide authority for compensatory time off for prevailing rate (wage) employees in lieu of overtime pay and agency flexibility in determining the "in lieu of" holiday for employees on compressed work schedules when the actual holiday for the employee is on a nonworkday. A current regulation is also corrected to comply with a provision of law authorizing use of alternative work schedules for civilian nonappropriated fund employees of the Armed Services.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/23/97	62 FR 2835
Final Action	07/00/98	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: James R. Weddel, Workforce Compensation and Performance Service, Office of Personnel Management, Office of Compensation Administration, 1900 E St. NW., Washington, DC 20415
Phone: 202 606-2858
Fax: 202 606-0824
Email: payleave@opm.gov

RIN: 3206-AH86

3818. PREVAILING RATE SYSTEMS; ABOLISHMENT OF LUBBOCK NONAPPROPRIATED FUND WAGE AREA

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 5343

CFR Citation: 5 CFR 532

Legal Deadline: None

Abstract: The Office of Personnel Management is issuing an interim rule to abolish the Lubbock, Texas, nonappropriated fund (NAF) Federal Wage System (FWS) wage area and to establish a new Curry, New Mexico, NAF wage area.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/27/97	62 FR 28978
Final Action	04/00/98	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Mark Allen, Workforce Compensation and Performance Service, Office of Personnel Management, Office of Compensation Administration, 1900 E St. NW., Washington, DC 20415

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Phone: 202 606-2848
 Fax: 202 606-4264
 Email: payleave@opm.gov
 RIN: 3206-AH88

3819. • PREVAILING RATE SYSTEMS; ABOLISHMENT OF THE ORLANDO, FL APPROPRIATED FUND WAGE AREA

Priority: Info./Admin./Other

Legal Authority: 5 USC 5343

CFR Citation: 5 CFR 532

Legal Deadline: None

Abstract: The Office of Personnel Management is issuing an interim rule to remove the requirement that a full-scale wage survey be conducted in the Orlando, Florida, Federal Wage System appropriated fund wage area in September 1997.

Timetable:

Action	Date	FR Cite
Interim Final Rule	10/03/97	62 FR 51759
Final Action	04/00/98	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Mark Allen, Workforce Compensation and Performance Service, Office of Personnel Management, Office of Compensation Administration, 1900 E St. NW., Washington, DC 20415
 Phone: 202 606-2848
 Fax: 202 606-4264

RIN: 3206-AI04

3820. • PREVAILING RATE SYSTEMS; REMOVAL OF UMATILLA COUNTY, OR, FROM SPOKANE, WA, NONAPPROPRIATED FUND WAGE AREA

Priority: Info./Admin./Other

Legal Authority: 5 USC 5343

CFR Citation: 5 CFR 532

Legal Deadline: None

Abstract: The Office of Personnel Management is issuing an interim rule to remove Umatilla County, Oregon, from the area of application of the Spokane, Washington, nonappropriated fund Federal Wage System wage area.

Timetable:

Action	Date	FR Cite
Interim Final Rule	12/23/97	62 FR 66973
Final Action	04/00/98	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Mark Allen, Workforce Compensation and Performance Service, Office of Personnel Management, Office of Compensation Administration, 1900 E St. NW., Washington, DC 20415
 Phone: 202 606-2848
 Fax: 202 606-4264
 Email: maallen@opm.gov

RIN: 3206-AI10

3821. • PREVAILING RATE SYSTEMS; ABOLISHMENT OF KANSAS CITY, MO, SPECIAL WAGE SCHEDULE FOR PRINTING POSITIONS

Priority: Info./Admin./Other

Legal Authority: 5 USC 5343

CFR Citation: 5 CFR 532

Legal Deadline: None

Abstract: The Office of Personnel Management is issuing an interim rule to abolish the Federal Wage System Special Wage schedule for printing positions in the Kansas City, Missouri, wage area. Printing and lithographic employees in Kansas City will now be paid rates from the regular Kansas City wage schedule.

Timetable:

Action	Date	FR Cite
Interim Final Rule	12/24/97	62 FR 67258
Final Action	04/00/98	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Mark Allen, Workforce Compensation and Performance Service, Office of Personnel Management, Office of Compensation Administration, 1900 E St. NW., Washington, DC 20415
 Phone: 202 606-2848
 Fax: 202 606-4264
 Email: mallen@opm.gov

RIN: 3206-AI11

3822. • PREVAILING RATE SYSTEMS; REDEFINITION OF THE ORLANDO, FL, APPROPRIATED FUND WAGE AREA

Priority: Info./Admin./Other

Legal Authority: 5 USC 5343

CFR Citation: 5 CFR 532

Legal Deadline: None

Abstract: The Office of Personnel Management (OPM) is issuing an interim rule to redefine Orange,

Osceola, Seminole, and Volusia Counties, FL, from the Orlando wage area to the area of application of the Jacksonville, FL, Federal Wage System (FWS) wage area.

Timetable:

Action	Date	FR Cite
Interim Final Rule	02/09/98	63 FR 6471
Final Action	05/00/98	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Mark A. Allen, Workforce Compensation and Performance Service, Office of Personnel Management, Office of Compensation Administration, 1900 E St. NW., Washington, DC 20415
 Phone: 202 606-2848
 Fax: 202 606-4264

RIN: 3206-AI13

3823. VOLUNTARY SEPARATION INCENTIVE REPAYMENT WAIVERS

Priority: Substantive, Nonsignificant

Legal Authority: PL 103-226

CFR Citation: 5 CFR 550

Legal Deadline: None

Abstract: Public Law 103-226 authorizes OPM to waive repayment of a voluntary separation incentive payment if a former employee who accepted the incentive payment is reemployed by an executive agency of the U.S. within 5 years of separation.

Timetable:

Action	Date	FR Cite
Interim Final Rule	11/09/94	59 FR 55807
Final Action	06/00/98	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Greg Keller, Employment Service, Federal Workforce Restructuring Office, Office of Personnel Management, 1900 E St. NW., Washington, DC 20415
 Phone: 202 606-0960
 Fax: 202 606-2329

RIN: 3206-AG20

3824. PAY ADMINISTRATION; AVAILABILITY PAY FOR CRIMINAL INVESTIGATORS

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 5545a(h); 5 USC 5548

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CFR Citation: 5 CFR 550**Legal Deadline:** None

Abstract: Regulations on implementation of availability pay, a new form of premium pay for criminal investigators who are required to work, or be available to work substantial amounts of unscheduled overtime duty based on the needs of the employing agency.

Timetable:

Action	Date	FR Cite
Interim Final Rule	12/23/94	59 FR 66149
Final Action	09/00/98	

Small Entities Affected: None**Government Levels Affected:** None

Agency Contact: Kevin Kitchelt, Workforce Compensation and Performance Service, Office of Personnel Management, Office of Compensation Administration, 1900 E St. NW., Washington, DC 20415
Phone: 202 606-2858
Fax: 202 606-0824
Email: payleave@opm.gov

RIN: 3206-AG47**3825. LUMP-SUM PAYMENTS FOR ANNUAL LEAVE****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 5553**CFR Citation:** 5 CFR 550, subpart L**Legal Deadline:** None

Abstract: The Technical and Miscellaneous Civil Service Amendments Act of 1992 (Pub. L. 102-378, October 2, 1992) created a new provision, 5 U.S.C. 5553, to provide OPM with regulatory authority for administering lump-sum payments for annual leave.

Timetable:

Action	Date	FR Cite
NPRM	07/29/97	62 FR 40475
Final Action	05/00/98	

Small Entities Affected: None**Government Levels Affected:** None

Agency Contact: JoAnn Perrini, Workforce Compensation and Performance Service, Office of Personnel Management, Office of Compensation Administration, 1900 E St. NW., Washington, DC 20415
Phone: 202 606-2858
Fax: 202 606-0824
Email: payleave@opm.gov

RIN: 3206-AF38**3826. COST-OF-LIVING ALLOWANCE IN NONFOREIGN AREAS: SURVEY RESULTS****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 5941**CFR Citation:** 5 CFR 591**Legal Deadline:** None

Abstract: The Office of Personnel Management will issue regulations implementing any increases in nonforeign area cost-of-living allowance (COLA) rates indicated by COLA survey results. Section 5941 of title 5, United States Code, provides for the payment of nonforeign area cost-of-living allowances (COLA's) in Alaska, Hawaii, and other nonforeign overseas areas. The Office of Personnel Management conducts living-cost surveys to set COLA rates. Reductions in nonforeign area COLA rates are prohibited by the Treasury, Postal Service, and General Government Appropriations Act, 1992, as amended, through December 31, 1998, and will not be proposed during the restricted period.

Timetable:

Action	Date	FR Cite
Notice Winter 1995 Report	02/02/96	61 FR 4070
Interim Final Rule	03/25/97	62 FR 14188
Final Action	06/00/98	

Small Entities Affected: None**Government Levels Affected:** None

Agency Contact: Kurt M. Springmann, Workforce Compensation and Performance Service, Office of Personnel Management, Office of Compensation Administration, 1900 E St. NW., Washington, DC 20415
Phone: 202 606-2838
Fax: 202 606-4264
Email: cola@opm.gov

RIN: 3206-AH07**3827. • EMERGENCY LEAVE TRANSFER PROGRAM****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 6391**CFR Citation:** 5 CFR 630, subpart K**Legal Deadline:** None

Abstract: Section 9004 of Pub. L. 105-18, June 12, 1997, added section 6391 to title 5, United States Code, to provide that in the event of a major disaster or emergency, as declared by the President, that results in severe

adverse effects for a substantial number of employees, the President may direct the Office of Personnel Management (OPM) to establish an emergency leave transfer program under which an employee in any Executive agency may donate annual leave for transfer to employees of his or her agency or to employees in other agencies who are adversely affected by such disaster or emergency. The Act also permits agency leave banks established under 5 U.S.C. 6362 to donate leave under an emergency leave transfer program established by OPM.

Timetable:

Action	Date	FR Cite
NPRM	11/03/97	62 FR 59301
Final Action	05/00/98	

Small Entities Affected: None**Government Levels Affected:** None

Agency Contact: Jo Ann Perrini, Workforce Compensation and Performance Service, Office of Personnel Management, Office of Compensation Administration, 1900 E St. NW., Washington, DC 20415
Phone: 202 606-2858
Fax: 202 606-0824
Email: payleave@opm.gov

RIN: 3206-AI03**3828. RETIREMENT; COVERAGE - NON-APPROPRIATED FUND INSTRUMENTALITIES****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 8347**CFR Citation:** 5 CFR 831; 5 CFR 837; 5 CFR 841; 5 CFR 842; 5 CFR 843; 5 CFR 844; 5 CFR 847**Legal Deadline:** Final, Statutory, August 9, 1996.

Abstract: These regulations implement the provisions of Pub.L. 104-106 which allow certain employees who have been employed by Non-appropriated Fund Instrumentalities under the jurisdiction of the armed forces to obtain retirement credit under limited circumstances.

Timetable:

Action	Date	FR Cite
Interim Final Rule	08/09/96	61 FR 41714
Final Action	06/00/98	

Small Entities Affected: None**Government Levels Affected:** None

Agency Contact: Cynthia Reinhold, Retirement and Insurance Service,

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Retirement Policy Division, Office of
Personnel Management, 1900 E St.
NW., Washington, DC 204415
Phone: 202 606-0299
Fax: 202 606-1108
Email: combox@opm.gov
RIN: 3206-AH57

3829. REVISED APPLICATION PROCEDURES FOR DISABILITY RETIREMENT UNDER CSRS AND FERS

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 8104; 5 USC
8347; 5 USC 8461

CFR Citation: 5 CFR 831; 5 CFR 844

Legal Deadline: None

Abstract: These regulations will establish uniformity in application procedures for disability retirement under the Civil Service Retirement System and the Federal Employees Retirement System. The regulation would allow employees to meet the filing deadline for disability retirement by submitting applications directly to their former employing agency or to OPM within 1 year after separation.

Timetable:

Action	Date	FR Cite
NPRM	01/16/97	62 FR 2323
NPRM Comment Period End	03/17/97	
Final Action	04/00/98	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Robert Girouard,
Retirement and Insurance Service,
Retirement Policy Division, Office of
Personnel Management, 1900 E St.
NW., Washington, DC 20415
Phone: 202 606-0299
Fax: 202 606-1108
Email: combox@opm.gov
RIN: 3206-AH68

3830. • COVERAGE FOR CERTAIN EMPLOYEES OF DC

Priority: Info./Admin./Other

Legal Authority: 5 USC 8347(a); 5 USC
8361(g); PL 105-33, sec 11202(f),
11232(e), 11246(b)

CFR Citation: 5 CFR 831; 5 CFR 837;
5 CFR 842; 5 CFR 846; 5 CFR 870; 5
CFR 890

Legal Deadline: None

Abstract: These regulations implement provisions of the National Capital Revitalization and Self-Government Improvement Act of 1997 that require that nonjudicial employees of the District of Columbia Courts, and under certain conditions, the District of Columbia Corrections Trustee and the District of Columbia Pretrial Services, Defense Service, Parole, Adult Probation and Offender Supervision Trustee and their respective employees be considered Federal employees for purposes of Federal retirement, health, and life insurance coverage.

Timetable:

Action	Date	FR Cite
Interim Final Rule	09/30/97	62 FR 50995
Comment Period End	12/01/97	
Final Action	06/00/98	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Patrick Jennings,
Retirement and Insurance Service,
Office of Personnel Management, 1900
E St. NW., Washington, DC 20415-0001
Phone: 202 606-0299
Fax: 202 606-1108
RIN: 3206-AI02

3831. RETIREMENT COVERAGE FOR DC FINANCIAL CONTROL BOARD EMPLOYEES

Priority: Info./Admin./Other

Legal Authority: PL 104-8

CFR Citation: 5 CFR 831; 5 CFR 842

Legal Deadline: None

Abstract: These regulations implement the District of Columbia Financial Responsibility and Management Assistance Act of 1995. They establish standards by which some former Federal employees may carry civil service retirement coverage to employment with the DC Financial Control Board.

Timetable:

Action	Date	FR Cite
Interim Final Rule	11/15/96	61 FR 58457
Final Action	04/00/98	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Patrick Jennings,
Retirement and Insurance Service,
Office of Personnel Management, 1900
E St. NW., Washington, DC 20415-0001
Phone: 202 606-0299

Fax: 202 606-1108
Email: combox@opm.gov
RIN: 3206-AG78

3832. RETIREMENT; FERS BASIC ANNUITY

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 8461

CFR Citation: 5 CFR 842, subparts B,
C, D, E, F, G

Legal Deadline: None

Abstract: These final regulations will amend FERS Basic Annuity regulations governing Eligibility (subpart B), Credit for Service (subpart C), Computations (subpart F), and Alternative Forms of Annuity (subpart G). These regulations have been published at various times in interim final form, and have been affected by statutory changes.

Timetable:

Action	Date	FR Cite
Interim Final Rule	01/16/87	52 FR 2061
Interim Final Rule	01/16/87	52 FR 2067
Interim Final Rule	02/11/87	52 FR 4473
Interim Final Rule	02/11/87	52 FR 4479
Interim Final Rule	05/14/87	52 FR 18193
Interim Final Rule	04/08/88	53 FR 11635
Interim Final Rule	02/09/90	55 FR 4598
Final Rule	12/27/90	55 FR 53136
Interim Final Rule	02/19/91	56 FR 6549
Final Action	09/00/98	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Harold L. Siegelman,
Retirement and Insurance Service,
Retirement Policy Division, Office of
Personnel Management, 1900 E St.
NW., Washington, DC 20415
Phone: 202 606-0299
Fax: 202 606-1108
Email: combox@opm.gov
RIN: 3206-AE73

3833. FEDERAL EMPLOYEES HEALTH BENEFITS PROGRAM: PAYMENT OF PREMIUMS FOR PERIODS OF LEAVE WITHOUT PAY OR INSUFFICIENT PAY

Priority: Info./Admin./Other

Legal Authority: 5 USC 8913

CFR Citation: 5 CFR 890

Legal Deadline: None

Abstract: Regulations that establish a requirement that Federal agencies counsel employees entering nonpay status, or whose pay is insufficient to

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cover their FEHB premium payments, of the options of continuing or terminating their FEHB coverage, and if continuing, of paying premiums directly on a current basis or incurring a debt to be withheld from future salary. These regulations are intended to ensure employees are fully aware of these alternatives.

Timetable:

Action	Date	FR Cite
Interim Final Rule	07/22/96	61 FR 37807
Interim Final Rule	06/00/98	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Kenneth A. Lease, Retirement and Insurance Service, Insurance Policy and Information Division, Office of Personnel Management, Office of Insurance Programs, 1900 E St. NW., Washington, DC 20415

Phone: 202 606-0004

Fax: 202 606-0633

RIN: 3206-AG66

3834. FEDERAL EMPLOYEES HEALTH BENEFITS PROGRAM: DISENROLLMENT

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 8913

CFR Citation: 5 CFR 890

Legal Deadline: None

Abstract: Regulations authorizing FEHB carriers to disenroll an enrollee when the enrollment reconciliation process results in an unresolved discrepancy between the carrier and the employing office records, and in other

circumstances. Enrollees would have the right to request reconsideration of the carrier action from the employing office.

Timetable:

Action	Date	FR Cite
NPRM	11/28/97	62 FR 63282
Final Action	06/00/98	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Jay Fritz, Retirement and Insurance Service, Insurance Policy and Information Division, Office of Personnel Management, Office of Insurance Programs, 1900 E St. NW., Washington, DC 20415

Phone: 202 606-0004

Fax: 202 606-0633

RIN: 3206-AH61

3835. • FEHBP: REMOVAL OF MINIMUM SALARY REQUIREMENT

Priority: Info./Admin./Other

Legal Authority: 5 USC 8913

CFR Citation: 5 CFR 890

Legal Deadline: None

Abstract: This proposed rule removes an obsolete provision that prohibits an employee whose annual salary is \$350 or less from enrolling in the Federal Employees Health Benefits Program.

Timetable:

Action	Date	FR Cite
NPRM	01/06/98	63 FR 446
Final Action	04/00/98	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Kenneth A. Lease, Retirement and Insurance Service, Insurance Policy and Information Division, Office of Personnel Management, Office of Insurance Programs, 1900 E St. NW., Washington, DC 20415

Phone: 202 606-0004

Fax: 202 606-0633

RIN: 3206-AI05

3836. • APPOINTMENT, PAY, AND REMOVAL OF ADMINISTRATIVE LAW JUDGES

Priority: Info./Admin./Other

Legal Authority: 5 USC 1104(a)(2); 5 USC 1305; 5 USC 3105; 5 USC 3323(b); 5 USC 3344; 5 USC 4301(2)(D); 5 USC 5372; 5 USC 7521

CFR Citation: 5 CFR 930

Legal Deadline: None

Abstract: Revises several areas pertaining to the appointment, pay, and removal of ALJ's.

Timetable:

Action	Date	FR Cite
NPRM	02/23/98	63 FR 8874
Final Action	04/00/98	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Carol Bullock, Employment Service, Office of Personnel Management, 1900 E St. NW., Washington, DC 20415

Phone: 202 606-0810

TDD: 202 606-0023

Fax: 202 606-0584

RIN: 3206-AI08

OFFICE OF PERSONNEL MANAGEMENT (OPM)

Long-Term Actions

3837. CLAIMS COLLECTIONS STANDARDS; DEBT COLLECTION ACT OF 1982; SALARY OFFSET

Priority: Substantive, Nonsignificant

Legal Authority: 31 USC 952; PL 95-454; 5 USC 5514

CFR Citation: 5 CFR 179

Legal Deadline: None

Abstract: The Office of Personnel Management (OPM) is revising the regulations it issued on July 11, 1994, that govern the collection of debts

owed to OPM by Federal employees. These regulations implement the debt collection procedures provided under section 5 of the Debt Collection Act of 1982.

Timetable: Next Action Undetermined

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Bob Loring, Office of the Chief Financial Officer, Office of Financial Management, Office of Personnel Management, 1900 E St. NW., Washington, DC

Phone: 202 606-5028

RIN: 3206-AG64

3838. NONCOMPETITIVE APPOINTMENTS OF CORPORATION FOR NATIONAL SERVICE EMPLOYEES

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 12651f

CFR Citation: 5 CFR 315; 5 CFR 316

Legal Deadline: None

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Abstract: Permits permanent and indefinite employees of the Corporation for National Service to receive noncompetitive appointments in the competitive service. Implements National and Community Service Trust Act of 1993.

Timetable: Next Action Undetermined

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Karen Jacobs, Employment Service, Staffing Reinvention Office, Office of Personnel Management, 1900 E St. NW., Washington, DC 20415
Phone: 202 606-0830
TDD: 202 606-0023
Fax: 202 606-2329

RIN: 3206-AH48

3839. • INTERAGENCY PLACEMENT PROGRAM

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 1302; 5 USC 3310; 5 USC 3315

CFR Citation: 5 CFR 330; 5 CFR 351; 5 CFR 332

Legal Deadline: None

Abstract: Implemented Interagency Placement Program, which superseded Displaced Employee Program and Interagency Placement Program.

Timetable:

Action	Date	FR Cite
Interim Final Rule	06/27/94	59 FR 32871
Next Action Undetermined		

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Tim Firlie, Employment Service, Workforce Restructuring Office, Office of Personnel Management, 1900 E St. NW., Washington, DC 20415
Phone: 202 606-0960
Fax: 202 606-2329

RIN: 3206-AI24

3840. PERFORMANCE MANAGEMENT REFORM

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 5 USC 43; 5 USC 45

CFR Citation: 5 CFR 430; 5 CFR 451

Legal Deadline: None

Abstract: Regulatory changes to comply with legislative reforms in support of the National Performance Review (NPR) recommendations that decentralize performance management and incentive awards programs to the agencies.

Timetable: Next Action Undetermined

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Barbara Colchao, Workforce Compensation and Performance Service, Office of Personnel Management, Performance Management and Incentive Awards Division, OPCSD, 1900 E St. NW., Washington, DC 20415
Phone: 202 606-2720
Fax: 202 606-2395
Email: dlhausse@opm.gov

RIN: 3206-AF57

3841. CLASSIFICATION APPEALS OF GENERAL SCHEDULE EMPLOYEES

Priority: Info./Admin./Other

Legal Authority: 5 USC 5112

CFR Citation: 5 CFR 511, subparts F and G

Legal Deadline: None

Abstract: The position classification appeals regulations require updating to reflect current organization nomenclature following a reorganization within OPM.

Timetable:

Action	Date	FR Cite
NPRM	05/00/99	
NPRM Comment Period End	07/00/99	
Final Action	09/00/99	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Jeffrey D. Miller, Office of Merit Systems Oversight and Effectiveness, Office of Personnel Management, 1900 E St. NW., Washington, DC 20415
Phone: 202 606-2530
Fax: 202 606-2663

RIN: 3206-AH38

3842. • JOB GRADING REVIEWS AND APPEALS OF FEDERAL WAGE SYSTEM EMPLOYEES

Priority: Info./Admin./Other

Legal Authority: 5 USC 5112

CFR Citation: 5 CFR 532, subpart G

Legal Deadline: None

Abstract: The job grading reviews and appeals regulations require updating to reflect current organization nomenclature following a reorganization within OPM.

Timetable:

Action	Date	FR Cite
NPRM	05/00/99	
NPRM Comment Period End	07/00/99	
Final Action	09/00/99	

Small Entities Affected: Undetermined

Government Levels Affected: None

Agency Contact: Jeffrey D. Miller, Office of Merit Systems Oversight and Effectiveness, Office of Personnel Management, 1900 E St. NW., Washington, DC 20415
Phone: 202 606-2530
Fax: 202 606-2663

RIN: 3206-AI14

3843. SUITABILITY—SUITABILITY DISQUALIFICATION/RATING ACTIONS

Priority: Other Significant

Legal Authority: 5 USC 3301; 5 USC 3302; 5 USC 7301; EO 10577; EO 11222

CFR Citation: 5 CFR 731(b) to 731(c)

Legal Deadline: None

Abstract: With the abolishment in December 1993 of the Federal Personnel Manual (FPM), certain policies and procedures enunciated in the FPM must be considered for publication in another format. Since all of these policies and procedures are important to continued program operations, some of them will be published in pamphlets for users and other more significant items will be incorporated in the Code of Federal Regulations. The Office of Management and Budget (OMB) has determined that these regulations are significant and require OMB review prior to publication. However, we foresee no significant issues arising from implementation of these changes.

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Timetable:

Action	Date	FR Cite
Interim Final Rule	04/23/91	56 FR 18650
Interim Final Rule	09/16/94	59 FR 47527
Next Action Undetermined		

Small Entities Affected: None**Government Levels Affected:** None

Agency Contact: Richard A. Ferris, Associate Director, Investigations Service, Office of Personnel Management, P.O. Box 886, Washington, DC 20044-0886
Phone: 202 606-1042
Fax: 202 606-2390

RIN: 3206-AC19**3844. PERSONNEL SECURITY AND RELATED PROGRAMS****Priority:** Other Significant

Legal Authority: 5 USC 3301; 5 USC 3302; 5 USC 7312; 50 USC 403; EO 10450; EO 10577

CFR Citation: 5 CFR 732**Legal Deadline:** None

Abstract: With the abolishment in December 1993 of the Federal Personnel Manual (FPM), certain policies and procedures enunciated in the FPM must be considered for publication in another format. Since all of these policies and procedures are important to continued program operations, some of them will be published in pamphlets for users and other more significant items will be incorporated in the Code of Federal Regulations. The Office of Management and Budget (OMB) has determined that these regulations are significant and require OMB review prior to publication. However, we see no significant issues arising from implementation of these changes.

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/23/91	56 FR 18650
Interim Final Rule	09/16/94	59 FR 47527
Interim Final Rule	10/17/94	
Effective Date		
Next Action Undetermined		

Small Entities Affected: None**Government Levels Affected:** None

Agency Contact: Richard A. Ferris, Associate Director, Investigations Service, Office of Personnel Management, P.O. Box 886, Washington, DC 20415
Phone: 202 606-1042
Fax: 202 606-2390

RIN: 3206-AC21**3845. INVESTIGATIONS****Priority:** Other Significant

Legal Authority: PL 93-579; 5 USC 552a

CFR Citation: 5 CFR 736**Legal Deadline:** None

Abstract: With the abolishment in December 1993 of the Federal Personnel Manual (FPM), certain policies and procedures enunciated in the FPM must be considered for publication in another format. Since all of these policies and procedures are important to continued program operations, some of them will be published in pamphlets for users and other more significant items will be incorporated in the Code of Federal Regulations. The Office of Management and Budget (OMB) has determined that these regulations are significant and require OMB review prior to publication. However, we foresee no significant issues arising from implementation of these changes.

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/23/91	56 FR 18650
Begin Review	10/01/93	
Interim Final Rule	09/16/94	59 FR 47527
Interim Final Rule	10/17/94	
Effective Date		
Next Action Undetermined		

Small Entities Affected: None**Government Levels Affected:** None

Agency Contact: Richard A. Ferris, Associate Director, Investigations Service, Office of Personnel

Management, P.O. Box 886, Washington, DC 20044-0886
Phone: 202 606-1042
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RIN: 3206-AB92**3846. DEBARMENTS, CIVIL MONETARY PENALTIES, AND ASSESSMENTS IMPOSED AGAINST PROVIDERS****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 8902a**CFR Citation:** 5 CFR 890, subpart J**Legal Deadline:** None

Abstract: These regulations will implement amendments to 5 U.S.C. section 8902a, which authorize OPM to debar health care providers who have committed certain types of legal offenses or program-related violations, from participation in the Federal Employees Health Benefits Program (FEHBP) and to levy monetary penalties and assessments against individuals who have improperly obtained payments of FEHBP funds. Passage of the proposed legislation will remove unnecessary administrative constraints on the agency, provide more flexible and less time consuming procedures, and improve OPM's administration of sanctions against unfit health care providers.

Timetable:

Action	Date	FR Cite
Interim Final Rule	10/30/89	54 FR 43939
NPRM	02/04/93	58 FR 7052
Next Action Undetermined		

Small Entities Affected: None**Government Levels Affected:** None

Agency Contact: J. David Cope, Chief, Administrative Sanctions Branch, Office of the Inspector General, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415
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RIN: 3206-AD76

OFFICE OF PERSONNEL MANAGEMENT (OPM)

Completed Actions

3847. PROCEDURES FOR SETTling CLAIMS**Priority:** Substantive, Nonsignificant**CFR Citation:** 5 CFR 178**Completed:**

Reason	Date	FR Cite
Final Action	12/31/97	62 FR 68139
Final Action Effective	01/30/98	

Small Entities Affected: None**Government Levels Affected:** None**Agency Contact:** Paul Britner

Phone: 202 606-2233

RIN: 3206-AH89**3848. FELLOWSHIP AND SIMILAR APPOINTMENTS IN THE EXCEPTED SERVICE****Priority:** Substantive, Nonsignificant**CFR Citation:** 5 CFR 213**Completed:**

Reason	Date	FR Cite
Final Action	10/28/97	62 FR 55725
Final Action Effective	11/28/97	

Small Entities Affected: None**Government Levels Affected:** None**Agency Contact:** Sylvia Cole

Phone: 202 606-0024

Fax: 202 606-2329

RIN: 3206-AH91**3849. AGENCY RELATIONSHIPS WITH ORGANIZATIONS REPRESENTING FEDERAL EMPLOYEES AND OTHER ORGANIZATIONS****Priority:** Substantive, Nonsignificant**CFR Citation:** 5 CFR 251**Completed:**

Reason	Date	FR Cite
Final Action	01/15/98	63 FR 2305
Final Action Effective	01/15/98	

Small Entities Affected: None**Government Levels Affected:** None**Agency Contact:** Wade Plunkett

Phone: 202 606-1700

RIN: 3206-AH72**3850. AMENDMENT TO SELECTIVE SERVICE REGISTRATION REQUIREMENTS****Priority:** Info./Admin./Other**CFR Citation:** 5 CFR 300(g)**Completed:**

Reason	Date	FR Cite
Withdrawn	03/20/98	63 FR 13564

Small Entities Affected: None**Government Levels Affected:** None**Agency Contact:** Larry Lorenz

Phone: 202 606-0830

Fax: 202 606-2329

RIN: 3206-AD68**3851. RIF AND PERFORMANCE MANAGEMENT****Priority:** Other Significant**CFR Citation:** 5 CFR 293; 5 CFR 351;

5 CFR 430; 5 CFR 531

Completed:

Reason	Date	FR Cite
Final Action	11/24/97	62 FR 62495
Final Action Effective	12/24/97	

Small Entities Affected: None**Government Levels Affected:** None**Agency Contact:** Ed McHugh

Phone: 202 606-0960

Fax: 202 606-2329

RIN: 3206-AH32**3852. PAY UNDER THE GENERAL SCHEDULE; LOCALITY PAY AREAS FOR 1998****Priority:** Substantive, Nonsignificant**CFR Citation:** 5 CFR 531, subpart F**Completed:**

Reason	Date	FR Cite
Final Action	12/12/97	62 FR 65311

Small Entities Affected: None**Government Levels Affected:** None**Agency Contact:** Jeanne D. Jacobson

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RIN: 3206-AH65**3853. PREVAILING RATE SYSTEMS; SURVEY ORDER MONTH CHANGE FOR JEFFERSON, NEW YORK, NONAPPROPRIATED FUND WAGE AREA****Priority:** Info./Admin./Other**CFR Citation:** 5 CFR 532**Completed:**

Reason	Date	FR Cite
Withdrawn	02/12/98	

Small Entities Affected: None**Government Levels Affected:** None**Agency Contact:** Angela Graham

Humes

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RIN: 3206-AH80**3854. • PREVAILING RATE SYSTEMS; SURVEY ORDER MONTH CHANGE FOR JEFFERSON, NY, NONAPPROPRIATED FUND WAGE AREA****Priority:** Info./Admin./Other**Legal Authority:** 5 USC 5343**CFR Citation:** 5 CFR 532**Legal Deadline:** None

Abstract: The Office of Personnel Management is issuing a proposed rule to change the survey order month beginning with the next full-scale survey for the Jefferson, New York, nonappropriated fund Federal Wage System wage area. This change is expected to improve the survey data yield and to allow the Department of Defense to better balance its survey workload.

Timetable:

Action	Date	FR Cite
NPRM	09/02/97	62 FR 46221
Final Action	03/30/98	63 FR 15069
Final Action Effective	03/30/98	

Small Entities Affected: None**Government Levels Affected:** None

Agency Contact: Mark Allen, Workforce Compensation and Performance Service, Office of Personnel Management, Office of Compensation Administration, 1900 E St. NW., Washington, DC 20415

Phone: 202 606-2848

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RIN: 3206-AI01**3855. • PREVAILING RATE SYSTEMS; REMOVAL OF PUTNAM, RICHMOND, AND ROCKLAND COUNTIES, NY, AND MONMOUTH COUNTY, NJ, FROM THE NEW YORK, NY, APPROPRIATED FUND SURVEY AREA****Priority:** Info./Admin./Other**Legal Authority:** 5 USC 5343**CFR Citation:** 5 CFR 532

OPM

Completed Actions

Legal Deadline: None

Abstract: The Office of Personnel Management is issuing a proposed rule to remove Putnam, Richmond, and Rockland Counties, NY, and Monmouth County, NJ, from the survey area of the New York, NY, appropriated fund Federal Wage System wage area. The four counties will remain in the area of application of the New York, NY, wage area.

Timetable:

Action	Date	FR Cite
NPRM	11/03/97	62 FR 59300
Final Action	12/24/97	62 FR 67257
Final Action Effective	01/23/98	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Mark Allen, Workforce Compensation and Performance Service, Office of Personnel Management, Office of Compensation Administration, 1900 E St. NW., Washington, DC 20415
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RIN: 3206-AI06

3856. PAY ADMINISTRATION UNDER THE FLSA

Priority: Routine and Frequent

CFR Citation: 5 CFR 551

Completed:

Reason	Date	FR Cite
Final Action	12/23/97	62 FR 67238
Final Action Effective	01/23/98	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Jeffrey D. Miller
Phone: 202 606-2530
Fax: 202 606-2663

RIN: 3206-AG70

3857. PROCESSING GARNISHMENT ORDERS FOR CHILD SUPPORT AND/OR ALIMONY AND COMMERCIAL GARNISHMENT OF FEDERAL EMPLOYEES' PAY

Priority: Substantive, Nonsignificant

CFR Citation: 5 CFR 581; 5 CFR 582

Completed:

Reason	Date	FR Cite
Final Action	03/26/98	63 FR 14756
Final Action Effective	04/27/98	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Murray M. Meeker
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RIN: 3206-AH43

3858. COST-OF-LIVING ALLOWANCES AND POST DIFFERENTIALS (NONFOREIGN AREAS; MISCELLANEOUS CHANGES

Priority: Substantive, Nonsignificant

CFR Citation: 5 CFR 591

Completed:

Reason	Date	FR Cite
Final Action	12/02/97	62 FR 63630
Final Action Effective	12/02/97	

Small Entities Affected: None

Government Levels Affected: None

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RIN: 3206-AH51

3859. POLITICAL ACTIVITY—FEDERAL EMPLOYEES RESIDING IN DESIGNATED LOCALITIES

Priority: Other Significant. Major under 5 USC 801.

CFR Citation: 5 CFR 733

Completed:

Reason	Date	FR Cite
Final Action	01/30/98	63 FR 4555
Final Action Effective	03/02/98	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Jo-Ann Chabot
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Fax: 202 606-0082

RIN: 3206-AF78

3860. FEDERAL EMPLOYEES' HEALTH AND COUNSELING PROGRAMS

Completed:

Reason	Date	FR Cite
Withdrawn - Duplicate of RIN 3206-AI07	02/20/98	

RIN: 3206-AH93

3861. RETIREMENT AND INSURANCE BENEFITS DURING PERIODS OF UNEXPLAINED ABSENCE

Priority: Info./Admin./Other

CFR Citation: 5 CFR 831; 5 CFR 841; 5 CFR 880

Completed:

Reason	Date	FR Cite
Final Action	03/03/98	63 FR 10291
Final Action Effective	04/02/98	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Harold Siegelman
Phone: 202 606-0299
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Email: combox@opm.gov

RIN: 3206-AH75

3862. • RETIREMENT AND INSURANCE—WAIVER FROM CONTINUITY OF COVERAGE REQUIREMENTS FOR CERTAIN DECENNIAL CENSUS EMPLOYEES WITH DUAL APPOINTMENTS

Priority: Info./Admin./Other

Legal Authority: 5 USC 8347(g); 5 USC 8402(c)(i); 5 USC 8716(b); 5 USC 8913(b)

CFR Citation: 5 CFR 831; 5 CFR 842; 5 CFR 870; 5 CFR 890

Legal Deadline: None

Abstract: These regulations provide an exemption from continuity of coverage requirements for Federal retirement, health insurance, and life insurance benefits, for certain Federal employees who accept a second appointment to perform intermittent decennial census duties. This exemption is to facilitate hiring Federal employees for the decennial census by eliminating administrative complexities that would otherwise result under current regulations.

Timetable:

Action	Date	FR Cite
NPRM	12/24/97	62 FR 67295
Final Action	02/25/98	63 FR 9401
Final Action Effective	03/27/98	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Mary Ellen Wilson, Retirement and Insurance Service, Office of Personnel Management, 1900 E St. NW., Washington, DC 20415
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OPM

Completed Actions

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RIN: 3206-AI12

[FR Doc. 98-7568 Filed 04-24-98; 8:45 am]

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